

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1 - 4, 6 - 12, and 14 - 21 are currently pending.

Claims 6-11 and 14-21 were previously withdrawn from further consideration.

Claims 5, 13, 22 and 23 were previously canceled without prejudice or disclaimer.

Claims 1 and 3 are amended without the introduction of new matter. Support is found in, for example, the Specification at page 25, line 12 - page 27, line 3, and Figure 4.

Claims 1-4 and 12 are at issue.

II. Rejections under 35 U.S.C. § 103

Claims 1-4 and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kameo et al. (EP 0 88 791, herein "Kameo").

Applicants amend claim 1, and claim 3 in a similar manner, to further clarify the nature of their invention, and respectfully traverse the rejections as to claims 1 - 4 and 12.

In amended independent claim, Applicants claim:

1. An interlabial pad comprising:

an absorbent body; and

a cover body for covering the absorbent body in an enclosing manner,

wherein the interlabial pad has an elongated shape and a substantially elliptical cross section, and has a length under use in a vertical direction that is longer than a length in a horizontal direction and

wherein the absorbent body includes a fiber aggregate in which the fibers are oriented in random directions, the fiber aggregate including:

a first fiber aggregate located on an upper side of the interlabial pad in a vertical direction when the interlabial pad is worn by a wearer, the first fiber

aggregate having a first flexural rigidity which is controlled according to a first average fiber length for being deformable upon contacting a vestibular floor of the wearer,

a second fiber aggregate located on a lower side of the first fiber aggregate, the second fiber aggregate having a second flexural rigidity which is controlled according to a second average fiber length for maintaining a shape of the second fiber aggregate for retaining absorbed body fluids, and

a third fiber aggregate located on a lower side of the second fiber aggregate and on a lower side of the interlabial pad, the third fiber aggregate tends to protrude out readily from the labia, and having a third flexural rigidity which is controlled according to a third averaged fiber length for being deformable upon receiving an external impact ,

wherein the first fiber aggregate, the second fiber aggregate and the third fiber aggregate are free of any adhesive agent or pressing applied to any of the first fiber aggregate, the second fiber aggregate and the third fiber aggregate, and are covered by the cover body, such that ends of the cover body are affixed on the third fiber aggregate,

wherein each of the first average fiber length and the third average fiber length is between 25 mm and 50 mm, and the average second fiber length is between 3 mm and 4 mm,

wherein spaces between fibers in the first fiber aggregate and the third fiber aggregate are more flexibly varied than spaces between fibers in the second fiber aggregate,

wherein the flexural rigidity of each of the first, second and third fiber aggregates, is measurable as a Gurley bending resistance within a range 25 mg to 130 mg; and a ratio of flexural rigidities in two mutually orthogonal directions for each of the first, second and third fiber aggregates ranges between 0.5 and 2.0,

wherein the elliptical cross section of the interlabial pad having each length in a horizontal direction, the first and second fiber aggregate is greater than a length in the horizontal direction of the third fiber aggregate, and

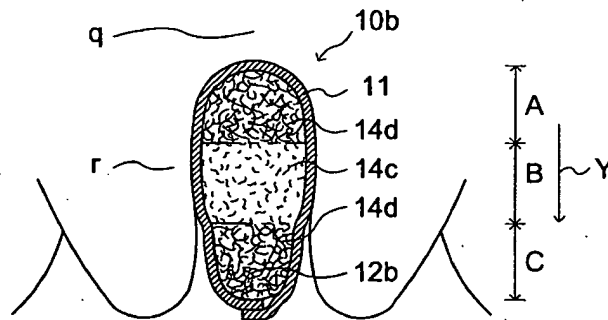
wherein the first and third flexural rigidities are greater than the second flexural rigidity, and the third fiber aggregate contributes to prevent the labial pad from falling from labia while the interlabial pad is fitted between the labia.

(Emphasis added).

Kameo discloses an absorbent article including a top sheet 2, a back sheet 3, and absorbent

body 4 having an absorbent member 6 and an elastic member 7. *See, e.g., FIG. 2 of Kameo.* As noted by the Examiner, Kameo fails to teach an absorbent article having a substantially elliptical cross-section. The Examiner however suggests that it would have been an obvious matter of design choice to provide the article of Kameo with an elliptical cross-section shape because such a modification would have involved a mere change in the shape of the component. Applicants respectfully disagree.

Kameo fails to teach Applicants' claimed configuration in which the first fiber aggregate 14d at the upper region A is closest to the vestibular floor q of the wearer and the third fiber aggregate 14d at the lowest region C tends to protrude from the labia r. *See Fig. 4, below.*



This distinction is not surprising in view of the intended functions of Kameo's absorbent article and Applicants' claimed interlabial pad. Kameo's absorbent article is intended to be externally worn as a sanitary napkin or diaper. In sharp contrast to Kameo, Applicants' claimed interlabial pad is fitted between the labia of the wearer and provides a first aggregate and a third aggregate on either side of the second aggregate, such that the first aggregate contacts the vestibular floor of the wearer, and such that the third aggregate provides cushioning in the region protruding from the labia, so that the interlabial pad does not readily fall out of position with the movement of the wearer. Kameo fails to teach or suggest an absorbent article which protrudes from the labia.

Furthermore, Kameo fails to teach or suggest a third fiber aggregate shorter in length in the horizontal direction than the first and second fiber aggregate with greater flexural rigidity than the second fiber aggregate to help prevent the labial pad from falling from between the labia when it is worn.

Accordingly, for at least these reasons, Applicants respectfully submit that the interlabial pad claimed by amended independent claim 1 is not obvious in view of Kameo, and stands in condition for allowance. As claim 3 has been amended in the same fashion as claim 1, Applicants submit that independent claim 3 is also in condition for allowance. As claims 2, 4 and 12 each depend from allowable claim 1 or claim 3, Applicants submit that dependent claims 2, 4 and 12 are also allowable for at least this reason.

Therefore, Applicants respectfully request that the rejection of claims 1-4 and 12 under 35 U.S.C. §103(a) be withdrawn.

CONCLUSION

In view of the above amendments, Applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below once he has reviewed the proposed amendment if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

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Respectfully submitted,

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